

**REMARKS**

Claims 1-11, 13, 15, and 17-21 were pending in the present application. Claims 15, 17, 20, and 21, indicated by the Office as being withdrawn, have been canceled herein without prejudice to their presentation in another application. Claim 19 has also been canceled herein without prejudice to its presentation in another application, as being drawn to a non-elected invention. Claims 1, 2, 10, and 18 have been amended herein to eliminate subject matter deemed to have been withdrawn by the Office. No new matter has been added. Upon entry of the present amendment, claims 1-11, 13, and 18 will remain pending.

**I. Objection**

Claims 1, 2, 6-10, 13, 18, and 19 “are objected to as having subject matter outside the scope of the elected Group I” (see, Office Action at page 3). Applicants have amended claims 1, 2, 10, and 18 to delete subject matter which Applicants believe the Office asserts is outside the scope of elected Group I. Applicants note that the language suggested by the Examiner for the amendment is the Examiner’s own language and not that of the claims. Thus, Applicants have attempted to amend the claims in a manner that is reflective of the Examiner’s suggestion. If the Examiner believes that any further clarification is necessary, the Examiner is invited to call Applicants’ undersigned representative to discuss the matter further.

**II. Obviousness-Type Double Patenting**

Claims 1-11, 13, 18, and 19 are provisionally rejected under the doctrine of obviousness-type double patenting as allegedly being unpatentable over claims of co-pending application Serial No. 10/520,372. Applicants enclose herewith a Terminal Disclaimer. Accordingly, Applicants respectfully submit that the rejection is moot.

**III. Conclusion**

In view of the foregoing, Applicants respectfully submit that the claims are in condition for allowance. An early notice of the same is earnestly solicited. The Office is invited to contact

**DOCKET NO.: 133087.11001 (101294-1P US)**

**PATENT**

Applicants' undersigned representative at 610.640.7859 if there are any questions regarding Applicants' claimed invention.

The Commissioner is hereby authorized to debit any underpayment of fee due or credit any overpayment to Deposit Account No. 50-0436.

Respectfully submitted,

/Paul K. Legaard, Reg.# 38534/  
Paul K. Legaard, Ph.D.

**Date: 9 December 2008**

Pepper Hamilton LLP  
400 Berwyn Park  
899 Cassatt Road  
Berwyn, PA 19312-1183

Telephone: 610.640.7859  
Facsimile: 267.430.7647